



13281 U.S. PTO

REQUEST FORM AND FORMALITIES PRELIMINARY AMENDMENT FOR
FILING A PATENT APPLICATION UNDER 37 CFR 1.53(b)

Attorney Docket No. P63187US2

Mail Stop **Patent Application**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

22141 U.S. PTO
10/722467



This is a request for filing a ☐ continuation or ☒ divisional application under 37 CFR 1.53(b) of prior application number 10/234,381, filed September 5, 2002, for PROCESS FOR TREATING LAMENESS ADMINISTRATION OF A DISPHOSPHONIC ACID DERIVATIVE, by inventor(s):

Du Mesnil et al.

Enclosed is a copy of the prior application including the Declaration as originally filed.

1. ☒ A Preliminary Amendment is enclosed.
2. ☐ Cancel claims *.
3. ☒ The filing fee is calculated as follows on the basis of the claims existing in the prior application as amended by 1 and/or 2 above.

| Fee Calculation | | | | | |
|---|--------------|------------|---------------|------------------|------------------|
| Excess Claims | | | | | |
| | Nº of Claims | Nº Allowed | Excess Claims | Small Entity Fee | Large Entity Fee |
| Total | 9 | ⊖ 20 = | -11 | ⊗ \$9 = \$ | ⊗ \$18 = \$ |
| Ind. | 0 | ⊖ 3 = | -3 | ⊗ \$42 = \$ | ⊗ \$84 = \$ |
| <input type="checkbox"/> Multiple Dependent Claims (1 st Filing) | | | | ⊕ \$140 = | ⊕ \$280 = \$ |
| Excess Claims Fee | | | | \$ | \$ |
| Filing Fee | | | | \$ | \$750 |
| Other: | | | | \$ | \$ |
| Total Fee Due | | | | \$0 | \$770 |

4. ☒ Credit card payment of \$770.00 is enclosed.

- ☐ Charge \$* to Deposit Account No. 06-1358.
5. ☐ This application is filed without payment of the filing fee under 37 CFR 1.53(f).
6. ☒ Amend the specification by inserting at page 1, before the first line:
☒ This is a divisional of application no. 10/234,381 filed September 5, 2002.
7. ☐ Small entity status:
☐ A small entity statement is enclosed.
☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
☐ Is no longer claimed.
8. ☒ Priority under 35 USC 119 is claimed to application number FR 98 12 388 filed October 2, 1998, in FRANCE.
☒ Certified copy on file in prior application no. 09/192,184.
☐ Certified copy filed herewith.
9. ☒ The prior application is assigned of record to Ceva Sante Animale.
10. ☒ The Power of Attorney in the prior application is to at least one of the following:
William E. Player, 31,409; John Clarke Holman, 22,769; Harvey B. Jacobson, Jr., 20,851; D. Douglas Price, 24,514; Marvin R. Stern, 20,640; Michael R. Slobasky, 26,421; Jonathan L. Scherer, 29,851; Irwin M. Aisenberg, 19,007.
☒ The power appears in the original papers of the prior application.
☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
11. ☒ Petition to extend the life of the above prior application to at least the date hereof
(One box) ☐ is being concurrently filed in that prior application.
NOTE:(must be) ☐ was previously filed in that application.
(X'd) ☒ is not necessary.
If a Petition for Extension of Time is necessary and the Petition and/or the check is not enclosed, the Commissioner is hereby petitioned to extend the time for response and authorized to charge any fees necessary under 37 CFR 1.17 (a)(1)-(5) to Deposit Account No. 06-1358.
12. ☐ Formal drawings are enclosed.

13. ☒ Enclosed is a copy of each Information Disclosure Statement (IDS) and Form PTO 1449 of record in each prior application relied on for an earlier filing date under 35 U.S.C. 120.
14. ☒ Enclosed is a copy each Form PTO 892 of record in each prior application relied on for an earlier filing date under 35 U.S.C. 120.
15. ☐ Also enclosed:

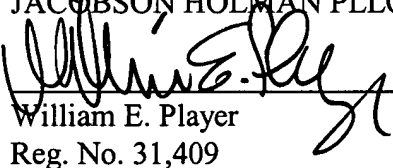
Address all future correspondence to:

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Respectfully submitted,

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By


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Date: November 28, 2003
WEP/bap

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